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Blue Ridge Railroad.

Meeting of Stockholders of the Blue Ridge Railroad Company in South Carolina.

CHARLESTON, April 8, 1869.

The stockholders of the Blue Ridge Railroad met in the Mayor's office this day. The minutes of the previous meeting were read and confirmed.

The reports of the President, Chief Engineer and Superintendent were submitted respectively by these officers.

On motion, the following committee was appointed to consider these reports, and submit a report of their conclusions to-morrow: Geo. A. Trenholm, Henry Gourdin, R. K. Scott, Geo. S. Cameron and G. W. Clark.

The meeting then adjourned.

CHARLESTON, April 9, 1869.

According to adjournment, the stockholders of the Blue Ridge Railroad Company met in the Mayor's office at one o'clock p. m., and a majority of the stock being represented, the meeting was called to order--the Mayor in the chair.

Mr. Trenholm, chairman of the committee appointed to take into consideration the reports of the President, Chief Engineer and Superintendent, submitted the following report and resolutions, which were unanimously adopted.

Mr. Scott moved that when this meeting adjourns, it adjourns to meet on a day to be appointed by the President, on receiving from the Chief Engineer the reports and estimates now being prepared by him.

The meeting then adjourned.

W. H. D. GAILLARD, Sec.

REPORT OF THE COMMITTEE.

The committee to whom was referred the several reports made to the stockholders by the President, the Chief Engineer and the Superintendent, ask leave to submit the following report:

They have given these important documents the most attentive and earnest consideration, and they cordially recommend the acceptance and approval of them by the stockholders; and also the immediate publication thereof as the best means of drawing public attention throughout the United States to this important enterprise. It will be seen by these reports that the unfinished work hitherto done upon the line of road is in an excellent state of preservation, having been originally most faithfully done, and having suffered but little injury from the lapse of time. They will, consequently, make it plain that the work already done, having cost three millions and a half dollars in coin, and being now in a good state of preservation, constitutes, when united to the cost of completion, an undoubted security under the mortgage, for the bonds to be now issued, limited in amount as they will be to the sum necessary to complete the work. And this independently of the State guarantee. In these circumstances, and the bonds having in addition the indorsement and guarantee of the State, your committee are of opinion that no further time should be lost, and that bids should at once be invited by public advertisement for the construction and completion of the entire line of road from Wallhalla to Knoxville, so as to bring every part of this State into early and direct communication by railroad with all the great cities of the Western valley.

The committee deem it their duty to point out to the stockholders the energy and zeal displayed by President Harrison and Chief Engineer Low, in the services of the company, and the very clear and satisfactory character of the reports submitted by them; and to express to those officers, on behalf of the stockholders, the sense that is entertained of their services.

In relation to those matters upon which the stockholders are expected to instruct these officers and the Board of Directors, the committee have, for brevity, embraced their views in the form of resolutions, as hereto appended, and which they respectfully submit as a part of their report, and recommend to the adoption of the meeting. Matters of minor consideration, such as the roofing of the bridges with metal, they propose to leave to the care of the President and Board of Directors. All of which is respectfully submitted as the report of this committee.

G. A. TRENHOLM, Chm'n.

RESOLUTIONS.

Resolved, That the President and Directors be and they are hereby authorized and directed to take the necessary measures to prepare and execute the bonds, securing the same by a first and only mortgage upon the property and franchises of the road, in the several States of South Carolina, Georgia, North Carolina and Tennessee; but excepting from the operation thereof the lien of the State of Tennessee, on the property in that State, to secure the advances to be made by the said State, as provided by law.

Adopted. Resolved, That the President and Directors be and they are hereby authorized and required to advertise for bids to build the entire road from Wallhalla to Knoxville, payment to be made in first mortgage bonds, endorsed by the State of South Carolina, and to enter into contracts for the accomplishment of the work.

Adopted. Resolved, That it be left to the discretion of the board when to terminate the lease to the Greenville Railroad Company, but that they be and are hereby instructed to require of said company that they commence at once and complete as speedily as possible the necessary repairs to the road.

Adopted. Resolved, That a committee of three stockholders be appointed to prepare and report at the next general meeting of stockholders a body of by-laws for the government of the corporation, and that they consider and report upon the expediency of giving the holders of mortgage bonds of the company a representation in the Board of Directors.

Adopted. Resolved, That the President and Board of Directors be and they are hereby empowered, at their discretion, to appoint an executive committee, consisting of not fewer than three members of the board, and to delegate to them the power to carry into effect so much of the foregoing resolutions as they may deem proper, subject always to the ratification of the board.

Adopted. Resolved, That the Board of Directors be and they are hereby authorized to fix the compensation of the President and Superintendent of the company, and to make the necessary arrangements to pay the arrear of the same for the last two years.

Adopted.

REPORT OF THE PRESIDENT.
To the Stockholders of the Blue Ridge Railroad Company:

The Board of Directors have thought it advisable to assemble you at this time, to obtain your judgment and direction as to certain preliminary matters of interest to the company, looking to an early resumption of work upon the line of the road.

But few persons, except those immediately interested, or actually employed in the management of this company, can justly appreciate the unexpected delays and difficulties of the past two years. At our meeting in November last, it was anticipated, with some degree of confidence, that material progress would have been exhibited before this time. An able delegation from this city, accompanied the President and Governor Scott to the City of New York, to represent the great importance of this enterprise to the South and West, and to enlist the monied interest of that city in its behalf. But owing to the feverish state of public opinion in reference to all matters connected with the South, and the unparalleled stringency in the money market, nothing was accomplished beyond bringing the condition and prospects of the company prominently and favorably to the attention of capitalists and contractors.

The necessity for a remeasurement of the work already done upon the line of the road, the loss and damage incident from abandonment for years, and a new estimate to suit the changed condition in the prices of labor, materials, &c., induced the board in January last to organize a small corps of engineers and put them on the work, so as to have such estimates in readiness to meet any bids or contracts which may be offered. The board was fortunate enough to secure the services of Colonel James P. Low, as the chief engineer, whose reputation for skill and ability in his profession is ample guarantee that the company will not be disappointed or dissatisfied.

Colonel Low immediately organized a corps, sufficient for the purpose, an outfit for the field was procured, and the party was soon engaged in the work. His able report, herewith submitted, will inform you of the progress and results of the survey, and contains many interesting facts and suggestions in regard to the condition of the work and the great importance and encouraging prospects of our enterprise. The results of his observation is another evidence, not only of the great forecast and wisdom evinced by those who inaugurated this project, but of the ability and honesty with which the work along the line has been performed. This solid masonry, these lofty piers and granite arched tunnels will long remain as monuments of their energy and enterprise.

The Board of Directors believe that the time has now arrived when additional progress may safely and prudently be made in the way of preparation for active work.

Although our State securities have not advanced in price as rapidly as we may have justly hoped, and are still far below their value; although the money market in our great cities is still unsettled and stringent, and capital still timid and tardy in its approach southward, and yet the board are sanguine in their hopes that the bonds of this company authorized to be issued, resting on a basis of so large an amount already well expended in construction and endorsed by the State, will command, in a short time, such rates as will justify the company in progressing with the work. The board would recommend that immediate steps be taken for the proper preparation, engraving and execution of all or a portion of these bonds, according to the terms of the act of September last, and that a mortgage of the property of the company be also prepared and executed, extended so as to include and secure the entire issue of \$4,000,000. It is a question of some moment, to be determined by the stockholders, whether the bonds should bear interest in coin or currency. Many capitalists having advanced the opinion, that if the interest on these bonds was payable in coin, their market value would be largely enhanced.

The board would also remind the stockholders that at the last meeting, it was considered inexpedient to organize the board according to the power conferred by the act of September last, and the board and officers heretofore elected have continued to perform the duties devolved upon them. It is, perhaps, time that some action should be taken in reference to this matter, and for the present a simple, economical and effective organization made. The salaries of officers should be fixed, and some early arrangement made for payment of arrears due former employees of the company.

In connection with this, the board would recommend the appointment or election of two directors, who, with the president, should constitute an executive committee, which committee should be charged with the proper preparation and engraving of the bonds of the company, mortgage, &c., to advertise for or receive bids of proposals for work, and report thereon when necessary, with such other matters usually committed to such committees.

It will be seen from the Chief Engineer's report, that the most advantageous sale or use of the present resources of the company will not furnish the means to construct the entire line of our road, and hence the importance and necessity for increasing our capital, so as to insure the early completion of the work. Vigorous measures should be adopted now, to obtain the long and justly expected aid from the great cities of the West. At no previous time has the public mind of these cities, especially Cincinnati and Louisville, been so thoroughly aroused and excited upon this subject. Even now, the Board of Trade of the former city is engaged in special meetings, in considering the ways and means to secure promptly and surely this Southern connection by rail. We should not lose this propitious opportunity to urge upon them the great advantages offered by our route, and the small sum now required to accomplish their purpose. The President has constantly, by correspondence and newspaper articles, done all in his power to convince our Western friends of the peculiar advantages offered them by our company, but he needs the aid of the able and influential men of the board and of this city, in this decisive effort, soon to be made.

The board would call the attention of the stockholders to the report of the Superintendent, Mr. Gaillard, and the suggestions there made. The company will be prepared to resume the regular operation of the road from Anderson to Wallhalla in a very short time, but it is perhaps the better policy to allow the Greenville and Columbia Railroad Company to use it until the 1st day of June, in the expectation that that company will make such repairs as it is thought good faith requires.

The cash resources of the company have been restricted to the sum of twenty dollars, advanced from the Treasury of the State in bills receivable. From this fund all expenses have been met, and it will enable us to repair the three engines and necessary rolling stock, and keep the engineer corps in the field as long as may be necessary for the present resuming.

The company should, however, return this fund to the Treasury as soon as our finances will admit. Respectfully submitted.

J. W. HARRISON,
April 8, 1869. President.

REPORT OF THE GENERAL SUPERINTENDENT.

CHARLESTON, April 8, 1869.

To J. W. Harrison, Esq., President of the Blue Ridge Railroad Company:

Sir--Since the last meeting of the stockholders of this company, the Greenville and Columbia Railroad have operated the road with great regularity and success; but for want of sufficient amount of power, and the heavy amount of freight to move, and the large increase of that freight, they have not been able to make such repairs on the road bed and ditching which they should have done; but the officials of the road have assured me that they would use all their energies to put the road in better condition before the first of June.

The engine Fort Hill has been repaired at the shops of the South Carolina Railroad Company and is now on the road up the country, and cost something over \$2600.

Material has been purchased and a machinist has been employed to repair the Chatoga, and will be put in good order at a cost of about \$1500.

The other engine, the Blue Ridge, is worse out of repair than either of the others, having been burnt by raiders, and the extent of the injury cannot be ascertained unless minutely examined at some shop, and it is recommended to be sent to some shop to be examined and repaired.

The condition of the road is such that it will require very nearly 1000 cross-ties to the mile, which would put it in first rate condition, as good as when newly laid; and one-half of that amount, say 500 to the mile, would put it in excellent condition.

I would recommend that, owing to the great difficulty of having repairs done to the engines and cars, that the company buy a sufficient amount of machinery to do our own repairs, and put them up on some point of the road now finished, costing some \$8,000 to \$10,000; and I would also recommend that the company resume the operation of the road by the first of June next.

It is also recommended that something be done to protect the bridges on the road, as the covering of some of them are in a bad condition, and they are injuring very materially.

W. H. D. GAILLARD,
Superintendent.

REPORT OF THE CHIEF ENGINEER.

CHARLESTON, S. C., April 8, 1869.

J. W. Harrison, Esq., President Blue Ridge Railroad Company:

Sir--I have the honor to submit the following report of operations in the Engineering Department of the Blue Ridge Railroad, since the date of my appointment, (January 7th, 1869,) together with such remarks and suggestions as the brief

time allowed for examination will enable me to offer.

Upon entering upon the duties of the office of Chief Engineer, I found that the matter immediately demanding attention, was the preparation of an estimate of the cost of completing the road. There appeared in the printed copies of the reports of the Chief Engineer estimates in gross of the total cost of the road, and also an estimate of the cost of completing the work, dated September 1st, 1860; but these estimates, showed the total money value of the work, subdivided only into irregular sections terminating at the State boundaries or at the principal towns along the line. The quantities and prices of the different items of work were not stated.

An examination of the line from Wallhalla to Rabun Gap confirmed me in the opinion that no satisfactory estimate could be made, without a remeasurement of the work as far as the North Carolina line. This opinion was communicated to you in my report of January 30th. On the same date I submitted an estimate of the cost of organizing and maintaining the Engineering Department until June 1st, 1869, upon a footing sufficient to enable me to present the estimates by the 15th of May.

The engineer party was put in the field on the 18th of February, under charge of Thos. B. Lee, Jr., as principal assistant engineer.

Mr. Lee was formerly in the service of the company, and his acquaintance with the work, familiarity with the records of the company which remain, and professional skill, are guarantees that the data for the estimate will be procured at the earliest possible moment. By letter, dated April 1st, he informs me that the party has crossed the Georgia line, and he fixes the 28th of April as the time at which he will reach Clayton.

In my report of January 30th, I fixed April 15th and May 15th, as the dates at which the estimates for the completion of the work to Clayton, and to the North Carolina line respectively, could be furnished. I apprehend now that about fifteen days more of time will be required.

Until the completion of the field work, calculations, plans and profiles, you will not, sir, expect from the Chief Engineer, any detailed report upon the works, the construction of which it is his special duty to superintend.

At the risk, however, of repeating some statements contained in my former report, I will refer briefly to the condition of the work already done.

I have visited all the tunnels and points where the earth-work is specially heavy, and am glad to be able to say, that during the long period of abandonment the road has suffered but little, aside from the ordinary wasting of earth-work long exposed to the weather. From undermining of masonry, breaking of embankments by freshets, falling of the roofs of the tunnels, or other similar accidents, there has been sustained but trifling damage.

The embankments show now about nine feet in width on the top on that part of the work which seems most advanced, but as we have no means of judging whether they were ever of full width or height, the percentage of loss can be but imperfectly stated. In making the approximate estimate of the cost of completing the work to Franklin, which will be found in another portion of this report, the loss from waste of the earth-work already done has been assumed at twenty per cent.

The work presents the most ragged appearance in the cuts, in many of which are heavy slips, but the greater part of such material is now needed to restore the embankments. At the approach to Sadale Tunnel, in South Carolina, is a very serious slip of earth from off an inclined surface of rock. This was anticipated by the former engineer, who left recorded in his notes his fear that it would occur, and it is not likely that any precaution or care would have availed to prevent it. That the masonry, complete and unfinished, is also little injured, is due to the very thorough manner in which it was built. There is none of better character in any railroad in the country.

Had the tunnels been through material not self-supporting, eight years of neglect would have occasioned an almost entire loss of the work done, as the weak points were not lined with masonry, but supported by timber which has yielded from decay. They are, however, driven through hard mica schists, which rarely require support, and, except for accumulations of water, are in as good condition as when the work on them was suspended. I have observed in the tunnels but one instance of the falling in of the roof. A section of twenty feet of Worr Woman tunnel in Georgia has given way and a crater opened to the surface of the ground above. It is however, less than a hundred feet from the eastern portal, and is not a matter of great moment.

I expressed in my former report the opinion that twenty months from the time of resuming operations would suffice for the completion of the longest remaining tunnel (that at Dick's Creek, in Georgia). The road may be completed and the iron laid to the eastern portal of this tunnel (twenty-two miles from Wallhalla) before it is driven through, and at the same time the road-bed may be in readiness to receive the track as far as Franklin, in North Carolina. There is, therefore, nothing in the character of the work to prevent the opening of the road to that place in twenty-two months after resumption of operations.

On the 4th of February, I had the honor to submit a report on the condition of the completed road between Anderson and Wallhalla. In that report I made no reference to the condition of the bridges, as I had been informed by Mr. Gaillard, the

superintendent, that steps had already been taken toward procuring the iron necessary for covering them. I have now to repeat the recommendations contained in that communication, and to add that the bridges should be covered without delay. These are excellent and expensive structures, and should not be a day longer exposed to danger from fire and deterioration from weather. The wooden roofs, which admit the water and exclude the sun and air, are worse than nothing. If the terms of the lease under which the Greenville and Columbia Railroad Company operates the Blue Ridge Road are such as to require the former company to restore the road in good order at the termination of the lease, it should not be hastily terminated and the road received in its present condition. On the other hand, if repairs are not made at once the said road will deteriorate in a rapidly increasing ratio, and if that company cannot be required to repair it, we should take possession at once and put it in order. I observed mud and water over the rails in one place at least, and the whole line needs thorough ditching and surfacing. Not less than a thousand cross-ties per mile should be put in immediately. If these repairs are neglected the iron on the thirty-two miles now open will be ruined long before the company is ready to extend the track.

If the contract can be made without delay with men of capital, experience and energy, little is hazarded in the prediction, that in June, 1871, there will be direct railroad communication between the Tennessee Valley and Charleston. Completed so far, it is impossible that the enterprise should stand still. The difficulties of the route would have been passed; the mountain region, with the tunnels, the heavy earth work, and the expensive structures, which absorb capital, task the patience and test the skill, will be behind us, and from thence to meet the line from Knoxville we follow a route opened by the hand of nature, which has broken the Alleghenies before us, and given the road a clear path to the rich valley of East Tennessee.

The road would already begin to gather a traffic from the head of the valley of Little Tennessee, which, I venture to say, will astonish the most sanguine. This is no sterile and uninviting region. Every valley among the hills responds now to the hand of the husbandman and repays richly his labors. The hills and mountain sides are not abrupt, rocky and inaccessible, but present easy slopes and rounded forms, and are covered with a soil capable of supplying in many ways the wants of man.

When production is stimulated by means of access to a market and by the various activities which will accompany the prosecution of the work, there will spring up a local traffic that will go far toward supporting the road.

But I by no means anticipate that it will be necessary to wait for the completion of the road to Franklin before anything can be done beyond that point. Too many interests will unite in demanding the completion of the work to admit of such a delay. Charleston will already feel the quickening touch of trade from that region, and not only the cities of South Carolina, but every town from Franklin to Knoxville and Cincinnati will be vitally interested in urging the comparatively easy work of completing the connections.

Men will no longer be discouraged by demands for immense sums which disappear in the bowels of mountains, expended on works that seem interminable; but stimulated by growing prosperity, and cheered by the near prospect of success, will give to the enterprise a more hearty support.

Undoubtedly long before the road is open to Franklin means will be forthcoming to continue it, and we may confidently predict that the work will not halt again until the merchants of Charleston and Cincinnati meet at the great tunnel to celebrate the opening of the road and the union of the cities.

JAMES P. LOW, Chief Engineer.

An Important Law.

An Act to Protect Laborers and Persons working under Contract on Shares of Crops.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all contracts made between owners of land, their agents, administrators or executors, and laborers, shall be witnessed by one or more disinterested persons, and at the request of either party be duly executed before a Justice of the Peace or Magistrate, whose duty it shall be to read and explain the same to the parties. Such contracts shall clearly set forth the conditions upon which the laborer or laborers engage to work, embracing the length of time, the amount of money to be paid, and when. If it be on shares of crops, what portion of the crop or crops.

Sec. 2. That whenever labor is performed under contract on shares of crop or crops, such crop or crops shall be gathered and divided off before it is removed from the place where it was planted, harvested or gathered; such division to be made by a disinterested person, when desired by either party to the contract, and such disinterested party shall be chosen by and with the consent of the contracting parties. Whenever the parties fail to agree upon any disinterested party, or if complaint is made that the division has been unfairly made, within ten days after such division, it shall be the duty of the Justice of the Peace or Magistrate residing nearest the place where such crop or

crops are planted, harvested or gathered, to cause, under his immediate supervision, such equitable division as may be stipulated in the contract. Such disinterested party, or Justice of the Peace or Magistrate, shall receive a reasonable compensation for such service, to be paid by both of the contracting parties, according to their several interests, except in cases of an attempt to willfully defraud the other by one of the contracting party; then such compensation shall be paid by the party so attempting to defraud the other; when such division has been made, each party shall be free to dispose of their several portions as to him, her or them may seem fitting: Provided, That if either party be in debt to the other for any obligation incurred under contract, the amount of said indebtedness may be then and there settled, and paid by such portion of the share or shares of the party so indebted, as may be agreed upon by the parties themselves, or set apart by the Justice of the Peace or Magistrate, or any party chosen to divide said crop or crops.

Sec. 3. That whenever laborers are working on shares of crop or crops, or for wages in money or other valuable consideration, they shall have prior lien upon said crop or crops, in whomsoever hands it might be. Such portion of the crop or crops to them belonging, or such amount of money or other valuable consideration due, shall be recoverable by an action in any Court of competent jurisdiction.

Sec. 4. That whenever such contract or contracts are violated, or attempted to be violated or broken, or whenever fraud is practiced, or attempted to be practiced, by either party to such contract or contracts, at any time before the conditions of the same are fulfilled and the parties released therefrom, complaint may be made before a Justice of the Peace or Magistrate, or may be carried before any Court having jurisdiction in such cases, where the extent and character of the offence shall be determined. If the offending party be the land owner or owners, his or her or their agent or agents, and fraud has been practiced, or attempted to be practiced, either in keeping any account or accounts between him, or her or them and the other party or parties to such contract or contracts, or in the divisions of the crop or crops, or the payment of money or other valuable consideration, upon proof to conviction, such offender or offenders shall forfeit and pay a fine not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars; or if it be a disinterested party chosen to make a division or divisions of crops heretofore provided, he, she or they shall be liable to action of trespass, and shall be tried in any Court of competent jurisdiction, and on proof to conviction, be fined in a sum not less than fifty nor more than five hundred dollars or be imprisoned for a period not less than one month, nor more than one year, at the discretion of the Court. If the offending party be a laborer or laborers, and the offence consist either in failing willfully and without just cause to give the labor reasonably required of him, her or them, by the terms of such contract, or in other respects shall refuse to comply with the conditions of such contract or contracts, shall fraudulently make use of or carry from the place where the crop or he, she or they may be working are planted any portion of said crop or crops, or anything connected therewith or belonging thereto, such person or persons so offending shall be liable to fine or imprisonment, according to the gravity of the offence, and upon proof to conviction before a Justice of the Peace, or a Court of competent jurisdiction.

Sec. 5. Any Justice of the Peace, Magistrate or other officer, before whom complaint is made, and whose duty it is to try such cases as is hereinbefore provided, who shall offend against the true intent and meaning of this Act, or shall refuse to hear and determine impartially all cases that may be brought before him under the provisions of this Act, and all peace officers whose duty it is to apprehend all offenders against the laws of the State, who shall refuse to perform their duty in bringing to justice any and all offenders against this Act, shall be liable to a charge of malfeasance in office, and upon proof to conviction, shall be forthwith removed from office and fined in a sum not less than fifty nor more than one hundred dollars.

Sec. 6. All Acts and parts of Acts in any way conflicting with the provisions of this Act are hereby repealed.

Sec. 7. This Act shall take effect and have the full force of law from and after its passage.

In the Senate House, the eighteenth day of March, in the year of our Lord one thousand eight hundred and sixty-nine.

CHARLES W. MONTGOMERY,
President of the Senate pro tem.

FRANKLIN J. MOSES, Jr.,
Speaker House of Representatives.

Approved the 19th day of March,
ROBERT K. SCOTT, Governor.

— "Most every man will concede that it looks very foolish to see a boy drag a heavy sly up a steep hill for the fleet pleshur of ridin down agin; but it appears to me that that boy is a sage by the side of a young man hoo works hard all the week and drinks up his stamps on saturday nite."

— When Bishop Asbury "run" the Methodist Church, there was one circuit in Virginia where the ladies were so fascinating that all the young preachers sent there were soon taken captive. The Bishop thought to stop this by sending thither two decrepit old men, but so his great surprise, both were married the same year. He exclaimed in disgust: "I am afraid the women and the devil will get all my preachers!"